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CORRESPONDENCE

ON THE

PROPOSED TRIPARTITE CONVENTION

RELATIVE TO

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BOSTON:  
LITTLE, BROWN AND COMPANY.  
1853.

From  
H. E.  
C. J.

## PREFATORY NOTE.

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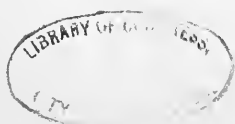
INQUIRIES being often made, without success, for copies of the Official Correspondence on the Proposed Tripartite Convention relative to Cuba, it has been deemed expedient to reprint the Message of the late President of the United States, of the 4th of January last, communicating that Correspondence to the Senate. The despatch of Lord John Russell to Mr. Crampton, of the 16th of February last, was communicated to Parliament toward the close of the late session and published in the London papers. It first appeared in this country in the New York Herald of 25th August. This despatch, with the letter of Mr. Edward Everett, of the 17th September, in reply, is subjoined in an Appendix.

THE PUBLISHERS.

Boston, *October*, 1853.

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# MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

IN ANSWER

*To a Resolution of the Senate, calling for information relative to a proposed Tripartite Convention on the subject of Cuba.*

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JANUARY 5, 1853.— Read, ordered to lie on the table, and be printed.

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*To the Senate of the United States :*

IN answer to the Senate's resolution of the 3d instant, calling for information relative to a proposed Tripartite Convention on the subject of the island of Cuba, I transmit to the Senate a report from the Secretary of State, and the papers which accompanied it.

MILLARD FILLMORE.

WASHINGTON, *January 4, 1853.*

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DEPARTMENT OF STATE,

*Washington, January 4, 1853.*

In compliance with the call of the Senate of yesterday, I have the honor to submit herewith a copy of the correspondence between this department and the Ministers of France and England, relative to a proposed

Tripartite Convention on the subject of the island of Cuba.

Considering the importance of the question, it has been deemed expedient to send the letters of the Count de Sartiges, the instructions of M. de Turgot, the French Minister of Foreign Affairs, and the French project of convention, in the original. But, as the letters of the British Minister and their inclosures are of similar purport, it has not been thought necessary to send translations of the former.

The letters from this department to Mr. Crampton, of the 29th of April and 1st of December, being the exact counterparts of the letters of the same date to the Count de Sartiges, are not transmitted.

The early portion of the correspondence was, at the request of this department, and for temporary reasons, which have ceased to exist, regarded as confidential.

Respectfully submitted:

EDWARD EVERETT.

TO THE PRESIDENT.

*List of Papers accompanying the Report of the Secretary of State, of the 4th January, 1853.*

1. Letter of the Count de Sartiges to Mr. Webster, 23d April, 1852, transmitting —
2. Letter of Instructions from M. de Turgot, Minister of Foreign Affairs in France, 31st March, 1852; and,
3. Project of the proposed Convention.

4. Letter of Mr. Crampton to Mr. Webster, 23d April, 1852, transmitting —
  5. Letter of Instructions of the Earl of Malmesbury to Mr. Crampton, 8th April, 1852, and,
  6. Project of the proposed Convention.
  7. Mr. Webster to the Count de Sartiges, 29th April, 1852.
  8. The Count de Sartiges to Mr. Webster, 8th July, 1852.
  9. Mr. Crampton to Mr. Webster, 8th July, 1852.
  10. Mr. Everett to the Count de Sartiges, 1st December, 1852.
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*M. le Comte de Sartiges to Mr. Webster.*

WASHINGTON, le 23 Avril, 1853.

MONSIEUR : J'ai l'honneur de vous envoyer, ci-joint, la copie de la dépêche et celle de la convention, qui ont fait le sujet de la conversation que Monsieur Crampton et moi avons eu l'honneur d'avoir avec vous ce matin.

L'opinion et les sentiments que vous nous avez exprimés avec tant de franchise et de précision à ce sujet, se trouvent être si parfaitement d'accord avec ceux exprimés par le gouvernement de la république, et sont une application si complète des principes énoncés par Monsieur le Président Fillmore en plusieurs occasions, et notamment dans son dernier message annuel au Congrès, que ce me serait une grande satisfaction d'être mis à même de les transmettre à Monsieur le Marquis Turgot,

dans les propres termes dont vous vous êtes servi. Si donc vous pensiez qu'il fût à propos, en accusant réception de la présente communication, de les reproduire succinctement de la façon, qui, du reste, vous paraîtrait le plus convenable, je serais ainsi mis à même de les transmettre confidentiellement à mon gouvernement, sous une forme, qui, j'en suis certain, serait pour lui extrêmement satisfaisante.

Agréez, Monsieur, l'assurance des sentiments de ma plus haute considération.

SARTIGES.

*M. de Turgot au Comte de Sartiges.*

PARIS, le 31 Mars, 1853.

MONSIEUR : Les coupables tentatives dirigées dans ces derniers temps contre l'Ile de Cuba, par des bandes d'aventuriers organisés sur le territoire des États-Unis, dans le dessein hautement avoué d'enlever à l'Espagne cette antique possession, ont appelé à plusieurs reprises, comme vous le savez, la sérieuse attention du gouvernement de la république ; et il les a d'autant plus regrettées ; qu'elles pouvaient éventuellement compromettre les relations amicales si heureusement existantes entre la France et les États-Unis. Nous avons donc envoyé aux commandants des forces navales Françaises, dans le Golfe du Mexique, des instructions pour leur prescrire de prendre, s'il y avait lieu, toutes les mesures nécessaires à l'effet de co-opérer avec les autorités Espagnoles à la défense de l'île et au maintien de la souveraineté de l'Espagne, sur cette importante colonie. Le gouvernement de S.



M. B., animé des mêmes sentiments de respect pour les droits de la couronne d'Espagne, et dirigé par les mêmes principes, a pris des résolutions analogues pour la conservation de l'état actuel de possession de l'Ile de Cuba, qui n'importe pas moins aux relations des grandes puissances maritimes qu'aux intérêts de l'Espagne elle-même. Les deux cabinets de Paris et de Londres ont aussi échangé à ce sujet, avec celui de Washington, des communications qui témoignent de leur sollicitude pour le maintien de droits consacrés par les traités et par le temps ; et le gouvernement fédéral, de son côté, en désavouant, de la manière la plus formelle, des expéditions préparées sur son territoire, et qui s'abritaient sous son pavillon, à déclaré qu'il ne verrait pas avec indifférence l'Ile de Cuba tomber au pouvoir d'une autre puissance Européenne que l'Espagne. Comme nous ne pourrions nous-même voir avec indifférence cette importante colonie tomber au pouvoir d'une autre puissance maritime que l'Espagne, nous nous sommes demandé, en présence de ces faits, s'il ne serait pas possible pour éviter à l'avenir toute chance de collision, et pour éloigner plus sûrement toute complication fâcheuse entre les grands États, auxquels, seuls, on pourrait supposer des vues ambitieuses sur Cuba, de proclamer d'un commun accord, par un acte ou par un échange de déclarations, les sentiments qui les animent et dont la manifestation officielle serait de nature à prévenir efficacement toute tentative éventuelle dans un but opposé. Telles sont les dispositions dans lesquelles nous nous sommes mis sur cette question en communication avec le gouvernement de S. M. Britannique ; et nous avons acquis la certitude qu'il était prêt, comme nous le sommes nous-même, à prendre

l'engagement de ne profiter, en aucun cas, des éventualités qui pourraient avoir pour résultat de faire passer cette colonie sous sa domination. Si donc le gouvernement des États-Unis pensait, avec nous, que, pour garantir la bonne harmonie de nos mutuelles relations contre les dangers dont leur maintien serait menacé par le renouvellement de tentatives coupables, qu'il est toujours permis de redouter, le meilleur moyen serait de proclamer de nouveau nos intentions désintéressées à l'égard de l'île de Cuba, nous serions prêts à signer avec lui et le gouvernement de S. M. Britannique, un engagement commun qui consacrerait par le même acte, et dans la même forme, nos renonciations respectives à la possession éventuelle d'une colonie, que son importance ne permettrait pas d'abandonner sans défense, aux chances d'aggression condamnées par le droit des gens et incompatibles avec les intérêts de toutes les puissances maritimes.

Je joins ici, pour le cas où le gouvernement fédéral préférerait une convention à l'échange des notes, un projet d'acte qui, dans la pensée du gouvernement de la république, répondrait au but qu'on se propose ; et je vous charge de soumettre ce projet à l'agrément du cabinet de Washington. Vous accompagnerez cette communication de tous les arguments et de toutes les explications que vous jugerez susceptibles de déterminer l'adhésion du gouvernement fédéral à la proposition dont je viens de vous entretenir.

Vous lirez la présente dépêche au Secrétaire d'État chargé des affaires étrangères, et vous lui en laisserez copie.

Recevez, &c.,

TURGOT.

## PREAMBLE.

S. M. la Reine du Royaume Uni de la Grande Bretagne et l'Irlande, Le Prince Président de la république Française, et les États Unis d'Amérique ayant jugé utile, en vue de fortifier les relations amicales qui existent heureusement entre eux, de manifester et de fixer par une convention leurs vues et leurs intentions relativement à l'île de Cuba, ont nommé à cette fin pour leurs plénipotentaires respectifs savoir,

S. M. la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, &c.

Le Prince Président de la république Française, &c.

Le Président des États Unis d'Amérique, &c.

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs et les avoir prouvés en bonne et due forme, ont agréé et arrêté les articles suivants :

## ARTICLE I.

Les hautes parties contractantes, par la présente convention, désavouent séparément et collectivement, pour le présent comme pour l'avenir, toute intention d'obtenir la possession de l'île de Cuba, et elles s'engagent respectivement à prévenir et à réprimer, autant qu'il sera en leur pouvoir, toute tentative entreprise dans ce but par quelque puissance ou quelques particuliers que ce soit.

Les haute parties contractantes déclarent séparément et collectivement, qu'elles ne prendront ni ne garderont, soit pour elles toutes, soit pour l'une d'elles, aucun droit

de contrôle exclusif sur la dite ile, et qu'elles n'y prendront ni n'y exerceront aucune autorité.

## ARTICLE II.

La présente convention sera ratifiée et les ratifications seront échangées à Washington autant que possible dans le délai de ——— mois, à partir de la date de la convention. En foi de quoi les plenipotentiaires respectifs ont signé cet acte et y ont apposé le sceau de leurs armes.

Fait à Washington, le ——— de l'année de nôtre Seigneur, 1852.

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*John F. Crampton, Esq., to Mr. Webster.*

WASHINGTON, April 23, 1852.

SIR: I beg to inclose the copy of the despatch, and of the project for a convention, which formed the subject of the conversation which Monsieur de Sartiges and myself had the honor of holding with you this morning.

The sentiments and opinions which you expressed to us, with so much frankness and precision, in regard to this matter, were so entirely in concurrence with those entertained by her Majesty's Government, and so well embody the principles which have been laid down by the President of the United States on several occasions, and more especially in his last annual message to Congress, that it would be a great satisfaction to me to be enabled to convey them to Lord Malmesbury in your own words. If, therefore, you were to think it expedient, in acknow-

ledging the receipt of my present communication, to make such a succinct statement of them as you may deem proper, it would afford me an opportunity of communicating your remarks confidentially to his lordship in a manner which would, I am convinced, be extremely gratifying to her Majesty's Government.

JOHN F. CRAMPTON.

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*The Earl of Malmesbury to John F. Crampton, Esq.*

FOREIGN OFFICE, April 8, 1852.

SIR: The attacks which have lately been made on the Island of Cuba by lawless bands of adventurers from the United States, with the avowed design of taking possession of that island, have engaged the serious attention of her Majesty's Government,—the more especially as they are most anxious that the friendly relations now existing between Great Britain and the United States should not be endangered, as they might be by a repetition of such attacks.

The Government of the United States has repeatedly declared, that it would not see with indifference the Island of Cuba fall into the possession of any other European power than Spain. Her Majesty's Government share, in the most unqualified manner, in the views thus put forth by the Government of the United States, and could never see with indifference the Island of Cuba in the possession of any power whatever but Spain.

The Government of France, with which her Majesty's Government have been in communication on this import-

ant matter, cordially adopt the same view, and concur with her Majesty's Government in thinking that an effort ought to be made, in concert with the Government of the United States, to place this matter on such a footing as shall preclude all hazard of collision between either of the three powers, in the event of the aggression on Cuba being repeated.

The British Government can have no hesitation in explicitly declaring that they have no wish or intention to appropriate Cuba to themselves. The French Government have signified to her Majesty's Government their entire concurrence in these sentiments, and their readiness to make a formal declaration to the same effect.

The Government of the United States having also, at various times, pronounced themselves in the same sense, and having, moreover, in these later times, exerted themselves, so far as their legal competence permitted, to arrest and defeat the attempts made by United States citizens and others against the Island of Cuba, all three parties appear to be fully agreed to repudiate, each for itself, all thought of appropriating Cuba; and it would therefore seem as if all that remained to be done were to give practical effect to the views entertained in common by the three powers.

It appears to her Majesty's Government, — and in this view the Government of France have expressed their concurrence, — that this result would be best attained by the three parties entering into a tripartite arrangement, whether by convention or by the interchange of formal notes, by which they should bind themselves, severally and collectively, to renounce, both now and hereafter, all intention to obtain possession of the Island

of Cuba, and to discountenance all attempts to that effect on the part of others.

I inclose herewith a project of such a convention as her Majesty's Government think would answer the purpose intended; and I have to instruct you to submit that project to the Government of the United States for its favorable consideration, accompanying the proposal with such observations and arguments as you may consider best suited to conciliate the good will of that Government, and to induce them to view with favor the arrangement thus submitted to them.

You will read this despatch to the United States Secretary of State, and leave a copy of it with him.

I am, &c.,

MALMESBURY.

*Draught of Convention.*

PREAMBLE.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Prince President of the French Republic, and the United States of America, having judged it expedient, with a view to strengthen the friendly relations which happily subsist between them, to set forth and fix, by a convention, their views and intentions with regard to the island of Cuba, have named as their respective plenipotentiaries for that purpose, that is to say:

Her Majesty the Queen of Great Britain and Ireland,  
&c.

The Prince President of the French Republic, &c.

And the President of the United States of America,  
&c.

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles :

#### ARTICLE I.

The high contracting parties hereby severally and collectively disclaim, both now and for hereafter, all intention to obtain possession of the island of Cuba ; and they respectively bind themselves to discountenance all attempt to that effect on the part of any power or individuals whatever.

The high contracting parties declare, severally and collectively, that they will not obtain or maintain, for themselves, or for any one of themselves, any exclusive control over the said island, nor assume nor exercise any dominion over the same.

#### ARTICLE II.

The present convention shall be ratified, and the ratification shall be exchanged at ——— as soon as possible within ——— months from the date thereof.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Washington the — day of ———, in the year of our Lord, 1852.



*Mr. Webster to the Count de Sartiges.*

DEPARTMENT OF STATE,  
*Washington, April 29, 1852.*

The undersigned has the honor to acknowledge the receipt of M. de Sartiges's note of the 23d instant, together with the copy of the instruction from M. de Turgot, the French Minister of Foreign Affairs, to M. de Sartiges, bearing date the 31st ultimo.

There is no doubt that M. de Turgot has justly described the course of policy which has influenced the Government of the United States heretofore in regard to the island of Cuba. It has been stated and often repeated to the Government of Spain by this Government, under various administrations, not only that the United States have no design upon Cuba themselves, but that, if Spain should refrain from a voluntary cession of the island to any other European power, she might rely on the countenance and friendship of the United States to assist her in the defence and preservation of that island. At the same time, it has always been declared to Spain that the Government of the United States could not be expected to acquiesce in the cession of Cuba to an European power.

The undersigned is happy in being able to say that the present Executive of the United States entirely approves of this past policy of the Government, and fully concurs in the general sentiments expressed by M. de Turgot, and understood to be identical with those entertained by the Government of Great Britain. The President will take M. de Sartiges's communication into

consideration, and give it his best reflections. But the undersigned deems it his duty, at the same time, to remind M. de Sartiges, and through him his Government, that the policy of that of the United States has uniformly been to avoid, as far as possible, alliances or agreements with other States, and to keep itself free from national obligations, except such as affect directly the interests of the United States themselves. This sentiment has been strongly felt and uniformly entertained in the councils of this Government from its earliest history. How far, therefore, it may be necessary to make this case of Cuba an exception, and especially how far any motive may be found for entering into treaty stipulations or exchange of official declarations with the Governments of France and Great Britain, in the existing state of things, upon the subject of Cuba, are questions which, as the undersigned has already intimated, will be maturely considered.

The undersigned avails himself of this opportunity to renew to M. de Sartiges the assurance of his high consideration.

DANIEL WEBSTER.

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*The Comte de Sartiges to Mr. Webster.*

WASHINGTON, le 8 Juillet, 1852.

MONSIEUR LE SECRETAIRE D'ÉTAT: En réponse à la communication que j'ai eu l'honneur de vous faire le 23 Avril, et qui comprenait un projet de convention relatif à l'île de Cuba, et la copie des instructions qui m'avaient été

envoyées à cette occasion par M. le Ministre des Affaires étrangères du Prince Président, vous m'avez, le 29 du même mois, adressé une note dans laquelle vous me donnez l'assurance que la communication, que j'avais eu l'honneur de vous faire, serait prise en considération par M. le Président Fillmore, qui lui donnerait sa plus sérieuse attention. Depuis lors, deux mois se sont écoulés ; et je viens vous demander de vouloir bien m'informer des intentions du gouvernement Américain, au sujet de l'invitation qu'au nom de mon gouvernement j'ai eu l'honneur de vous adresser, et par laquelle le gouvernement des États-Unis est invité à joindre sa déclaration à la déclaration que le gouvernement Français, d'accord avec le gouvernement Anglais, a pris la résolution de faire, et qui consiste en une renonciation commune, en tout état de choses et par quelque moyen que ce soit, à la possession de l'île de Cuba. En même temps j'appellerai, par écrit, votre attention sur plusieurs des observations à l'appui de cette proposition, qu'en commun avec le ministre d'Angleterre je vous ai présentées (dans la conversation, que, précédemment, M. Crampton et moi avons eue avec vous à ce sujet) et qui, je l'espère du moins, sont de nature à mettre la question dans son jour vrai, et à éloigner toute fausse interprétation qu'on pourrait attacher aux actes et aux paroles émanés de l'un des trois gouvernements.

Et d'abord, quant au droit de possession et de souveraineté, Cuba est province Espagnole au titre le plus sacré, la découverte et la possession non interrompue. L'Espagne entend conserver sa province ; les sujets Espagnols qui l'habitent, veulent rester unis à la mère-patrie. Ce droit de possession est incontestable et in-

contesté ; et le gouvernement des États-Unis, en toute occasion, je me plais à le reconnaître, s'est empressé de proclamer son respect de ce droit. Aussi, la reconnaissance simple de ce droit, n'est-elle pas le but que se propose le gouvernement du Prince Président, par la déclaration qu'il annonce vouloir faire simultanément avec le gouvernement de la Reine D'Angleterre, et nous l'espérons, avec le gouvernement des États-Unis.

Ce qu'il se propose, c'est, en parant aux éventualités de l'avenir, de faire cesser une situation trop tendue, quant aux relations de l'Espagne avec les autres puissances en général, au sujet de Cuba, et délicate, quant aux relations des grandes puissances maritimes entre elles.

En effet, aujourd'hui que le commerce maritime du monde tend à prendre, pour passer d'un océan à l'autre, les voies plus courtes des isthmes de l'Amérique Centrale, l'île de Cuba, véritable continent placé sur cette route, se trouve dans une situation géographique telle, que la nation qui la possède, si ses armements maritimes sont considérables, peut, à son gré, protéger ou intercepter les communications d'un océan à l'autre. Or, si les puissances maritimes doivent, par respect des droits acquis de l'Espagne et des lois internationales, s'abstenir de toute vue ultérieure sur la possession éventuelle de Cuba, elles doivent à la protection des intérêts de leurs sujets, à la protection du commerce de toutes les nations, qui, chacune, ont droit à l'usage de voies maritimes égales, de proclamer et d'assurer, autant qu'il est en leur pouvoir, la neutralité actuelle et l'avenir de l'île de Cuba. La France n'a pas laissé passer une occasion de manifester au sujet de Cuba, son respect pour les droits de souveraineté de la

couronne d'Espagne, ses sentiments de désintéressement quant au présent et à l'avenir de cette possession. L'Angleterre, par des actes pareils, a témoigné de la parité de ses sentiments et de ses vues à cet égard ; et le gouvernement des États Unis a lui-même déclaré, en plusieurs circonstances, qu'on ne pouvait pas attendre qu'il acquiescât à la cession de Cuba à aucune puissance Européenne.

Cette déclaration du gouvernement des États-Unis tient de la nature de celle que font, de leur côté, les gouvernements de France et d'Angleterre, et qu'ils proposent au gouvernement Américain de consigner en commun dans un acte officiel. Seulement, mon gouvernement, et ainsi fait le gouvernement Anglais, en même temps qu'il déclare qu' on ne peut attendre de lui qu'il acquiesce à la cession de Cuba à aucune puissance maritime, ajoute, que, pour son compte, il y renonce franchement et pour le présent et pour l'avenir. Je ne doute pas que le gouvernement des États-Unis n'ait été animé, en faisant sa déclaration, par le même motif qui a inspiré les déclarations faites par les gouvernements Français et Anglais.

Cependant le mot "*Européenne*," accolé au mot "puissance," peut faire hésiter nos gouvernements sur la portée de cette déclaration du gouvernement des États-Unis, et donner à penser que ce dernier gouvernement, en même temps qu'il exclue les autres nations des chances de l'avenir, a soin de s'en réserver les bénéfices. Entre puissances telles que les États-Unis, la France et l'Angleterre, on ne cherche pas à donner aux actes et aux paroles politiques une portée autre que leur exacte portée. Par l'acceptation du projet de déclaration commune, que

j'ai eu l'honneur de vous remettre le 23 Avril, la portée des déclarations faites par les gouvernements des États-Unis, de France et d'Angleterre, au sujet de l'avenir de l'île de Cuba, sera exactement déterminée. Il importe par les motifs énoncés ci-dessus, que la question, quant à l'avenir de Cuba, soit aujourd'hui pleinement réglée. Il nous importe à tous qu'elle le soit, dans le sens de la neutralité permanente de l'île ; et voici pourquoi.

Vous n'ignorez pas que le gouvernement Français, que les sujets Anglais et Français se trouvent, à divers titres, créanciers de l'Espagne pour des sommes considérables. Les frais qu'entraîne, pour elle, le maintien d'une force armée de 25,000 hommes dans l'île de Cuba, sont pour son trésor une charge grave, et qui entrave les efforts qu'elle fait pour remplir ses engagements financiers envers nous. En faisant cesser, pour ses sujets, des craintes qui motivent ces armements dispendieux, on laisserait au trésor Espagnol plus de latitude pour faire face à ses engagements. Ceci s'applique plus particulièrement à l'Espagne, à la France et à l'Angleterre ; mais ce qui s'applique au commerce de toutes les nations, et particulièrement au commerce Américain, le plus important à Cuba, c'est que, dans l'état actuel des choses, on ne peut raisonnablement attendre, de l'Espagne, aucune mesure tendant à modifier dans un sens plus libéral son tarif à la Havanne, tarif dont on se plaint aux États-Unis, et que l'on a souvent mis en avant, pour justifier les agressions contre l'île. Mais si, par la garantie de possession tranquille, que lui donneraient les grandes puissances maritimes par la déclaration qu'elles se proposent de faire en commun, l'Espagne pouvait diminuer sans danger le nombre de ses troupes à Cuba, ce soulagement de charges

lui permettrait sans doute d'alléger les droits qui pèsent sur le commerce étranger, auquel vous avez la plus large part.

Le projet que j'ai eu mission de vous présenter, Monsieur le Secrétaire d'État, ne renferme qu'un article ayant en vue deux objets : l'un, "renonciation à l'héritage éventuel de Cuba ;" l'autre, "engagement de faire respecter cette renonciation." Ces deux objets semblent avoir occupé déjà l'attention du gouvernement Américain ; et, pour conserver à l'Espagne sa souveraineté sur l'île de Cuba, ce gouvernement a songé en plusieurs circonstances, à recourir à des mesures énergiques : entre autres, à une époque où le bruit s'était répandu, à tort sans doute, que l'intention d'un Général Espagnol était de se retirer à Cuba et de s'y déclarer indépendant, sous la protection de l'une des grandes puissances maritimes, le gouvernement des États-Unis crut devoir offrir au gouvernement Espagnol, pour cette éventualité, le concours de sa marine et de son armée.

Aujourd'hui, la France de concert avec l'Angleterre, ne demande pas aux États-Unis de faire, en s'associant à elles, autant que les États-Unis proposaient au gouvernement Espagnol de faire, à eux seuls, en cette occasion ; car, dans le projet de convention que j'ai eu l'honneur de vous transmettre, il est dit : "Elles s'engagent respectivement à prévenir et à réprimer, *autant qu'il sera en leur pouvoir*," &c., phrase qui n'engage aucun des trois gouvernements au delà de ce que leurs constitutions respectives leur permettront de faire. Ce passage du projet en facilitera, j'ose l'espérer, l'adoption par le gouvernement des États-Unis, et le mettra à même, en signant la déclaration à la quelle la France en commun avec l'Angle-

terre lui propose aujourd'hui de s'associer, d'assurer au commerce du monde dans ces parages un avenir tranquille, de décourager les entreprises coupables sur Cuba, et de resserrer encore les liens d'amitié qui unissent les États-Unis à la France, en même temps qu'à l'Angleterre et à l'Espagne.

Agréez, Monsieur le Secrétaire d'État, l'assurance des sentiments de ma haute considération.

SARTIGES.

*John F. Crampton, Esq., to Mr. Webster.*

WASHINGTON, July 8, 1852.

SIR: In reply to the note which I had the honor of addressing to you on the 23d of April last, communicating to you a project for a convention respecting the island of Cuba, together with a copy of the instructions with which I have been furnished in regard to this matter by her Majesty's Principal Secretary of State for Foreign Affairs, you addressed to me a note, dated the 29th of April last, by which you assured me that the subject of the communication I had made would be taken into consideration by the President of the United States, and would receive his serious attention.

Two months have, however, now elapsed; and it may therefore now be proper that I should request you to enable me to inform her Majesty's Government of the views and intentions of the Government of the United States in regard to the proposition which I had the honor



of addressing to you, and by which the Government of the United States is invited to join her Majesty's Government and the Government of France in a declaration, which the two latter Governments have agreed to make, of a renunciation on their part of all intention of becoming possessed, under whatever circumstances and by whatever means, of the island of Cuba. I would also avail myself of this opportunity to recall your attention to the verbal remarks which, together with the Minister of France, I submitted to your consideration in support of the *propos*al, in the conversation which the Count de Sartiges and myself had the honor of holding with you on that subject. These remarks were, I trust, calculated to place the matter in its true point of view, and to remove any misapprehension which might arise, in whatever quarter, in regard to the acts or to the language of any of the three Governments in relation to it.

And, first, in respect to the right of possession and sovereignty. The island of Cuba is a province of Spain by the clearest of all titles — discovery and uninterrupted possession. Spain is determined to preserve her dominion over the province; and the Spanish subjects who inhabit it show no disposition to sever their connection with the mother country. This right of possession cannot be disputed, nor has it been disputed; and it gives me satisfaction to remark that the Government of the United States has, on all occasions, professed its respect for the validity of the title. It is not, consequently, the simple acknowledgment of the validity of this title which her Majesty's Government propose by the declaration which they desire to make, simultaneously and in concert with the Governments of the United States and

of France. The object of her Majesty's Government is to guard against future contingencies, and to put an end to a state of things far from satisfactory, as regards the friendly relations of Spain with other powers, respecting Cuba, and of great delicacy as it affects the relations of the principal maritime powers between themselves.

There is, at the present time, an evident tendency in the maritime commerce of the world, to avail itself of the shorter passages from one ocean to another offered by the different routes existing, or in contemplation, across the isthmus of Central America. The island of Cuba, of considerable importance in itself, is so placed, geographically, that the nation which may possess it, if the naval forces of that nation should be considerable, might either protect or obstruct the commercial routes from one ocean to the other. Now, if the maritime powers are, on the one hand, out of respect to the rights of Spain, and from a sense of her international duty, bound to dismiss all intention of obtaining possession of Cuba, so, on the other hand, are they obliged, out of consideration for the interests of their own subjects or citizens, and the protection of the commerce of other nations, who are all entitled to the use of the great highways of commerce on equal terms, to proclaim and assure, as far as in them lies, the present and the future neutrality of the island of Cuba. Great Britain has omitted no opportunity of manifesting, in regard to Cuba, her respect for the sovereign rights of Spain, and her disinterestedness in regard to the present and the future political position of that important colony. France has, by acts of the same nature, evinced similar sentiments and views; and the United States themselves have, on several occasions,

declared that they could not acquiesce in the cession of Cuba to an European power. This declaration of the United States partakes of the same nature as that which Great Britain and France propose to the American Government to embody in an official act — with this difference, however, that the British and French Governments, while they declare that they would not acquiesce in the cession of Cuba to any maritime power, also declare that they entirely renounce all views upon that island, both now and hereafter, for themselves. I do not doubt that the Government of the United States is actuated by the same motives, in making its declaration, which have impelled the British and French Governments to make theirs. The word “European,” however, in juxtaposition with the word “power,” might justify, on the part of the latter two Governments, some doubt as to the signification of the declaration of the United States; and it might be thought that the United States, while by their declaration they exclude other nations from profiting by the chances of future possible events, have not debarred themselves by that declaration from availing themselves of such events. Between powers such as Great Britain, the United States, and France, it could never be intended to give to political acts or language any other meaning than that which those acts or that language would clearly convey. A concurrence by the United States in the joint declaration, the project of which I had the honor of communicating to you on the 23d of April last, would prevent the possibility of the misapprehension to which I have alluded; and the true signification of the declarations made by England, the United States, and France, would thus be exactly defined.

It is highly desirable, for the reasons which I have given above, that the question of the future position of Cuba should be definitely determined; and it is desirable that this determination should assure the permanent neutrality of the island, among others, for the following reasons:

You are, no doubt, aware, that British and French subjects, as well as the French Government, are, on different accounts, creditors of Spain for large sums of money. The expense of keeping up an armed force in the Island of Cuba, of 25,000 men, is heavy, and obstructs the Government of Spain in the efforts which they make to fulfil their pecuniary engagements. By putting an end to the state of apprehension which is the cause of those armaments, we should increase to Spain the means of meeting those engagements. This consideration is, no doubt, applicable more particularly to Spain, to England, and to France. But there are others which apply more generally to the commercial interests of all nations, and especially to the commercial interests of the United States, which are greater than those of any other nation in Cuba. One of these considerations is, that, in the present state of things, we cannot reasonably expect Spain to take any measure toward lowering her tariff at Havana, — a tariff, the high rates of which are a subject of complaint in the United States; and this circumstance has not unfrequently been put forward as an excuse for unauthorized aggressions against the Spanish authorities in the island. But if, by the guaranty of quiet possession, which the proposed declaration of the great maritime powers would confer, Spain should be enabled to diminish her military force in Cuba, she might probably be induced to relieve foreign commerce there from

the charges which now press upon it ; and of this foreign commerce, as I have already observed, the United States have by far the largest share.

In conclusion, the project of a convention, which I have had the honor of presenting to you, consists of a single article, and has but two objects in view, — the one, a mutual renunciation of the future possession of Cuba ; the other, an engagement to cause this renunciation to be respected. Both of these objects seem to have been matters which have already attracted the attention of the American Government. Decisive measures, indeed, for the preservation of the sovereignty of Cuba to Spain have been contemplated by the Government of the United States on several occasions. Among others, at the time when a report was in circulation (although without foundation) that a Spanish General intended retiring to Cuba, and there declaring himself independent of Spain, under the protection of one of the great maritime powers, the Government of the United States did not hesitate to offer to the Spanish Government the assistance of their forces, both naval and military, in resisting any such attempt.

On the present occasion, Great Britain and France do not propose to the United States to do more in concert with them than the United States themselves offered to do alone on the occasion I allude to ; for the project of a convention, which I have had the honor of submitting to you, proposes that the three contracting powers should engage themselves to “discountenance and prevent, as far as in them lies,” &c., and consequently would not engage any one of the three Governments to do more than their respective constitutions may authorize. This

will, it is hoped, facilitate the adoption by the Government of the United States of the project, and enable the Government of the United States, by associating themselves with those of Great Britain and France, in this important declaration, to secure the future tranquillity of the commerce of the world in those seas, to discourage illegal enterprises against Cuba, and to draw closer the bonds of amity which bind the United States to Great Britain, as well as to France and Spain.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

JOHN F. CRAMPTON.

*Mr. Everett to the Comte de Sartiges.*

DEPARTMENT OF STATE,

*Washington, December, 1, 1852.*

SIR: You are well acquainted with the melancholy circumstances which have hitherto prevented a reply to the note which you addressed to my predecessor on the 8th of July.

That note, and the instruction of M. de Turgot of the 31st March, with a similar communication from the English minister, and the *projet* of a convention between the three powers relative to Cuba, have been among the first subjects to which my attention has been called by the President.

The substantial portion of the proposed convention is expressed in a single article, in the following terms: "The high contracting parties hereby, severally and col-

lectively, disclaim, now and for hereafter, all intention to obtain possession of the island of Cuba, and they respectively bind themselves to discountenance all attempt to that effect on the part of any power or individuals whatever."

"The high contracting parties declare, severally and collectively, that they will not obtain or maintain, for themselves, or for any one of themselves, any exclusive control over the said island, nor assume nor exercise any dominion over the same."

The Prèsident has given the most serious attention to this proposal, to the notes of the French and British ministers accompanying it, and to the instructions of M. de Turgot and the Earl of Malmesbury, transmitted with the project of the convention; and he directs me to make known to you the view which he takes of this important and delicate subject.

The President fully concurs with his predecessors, who have, on more than one occasion, authorized the declaration referred to by M. de Turgot and Lord Malmesbury, that the United States could not see with indifference the island of Cuba fall into the possession of any other European Government than Spain; not, however, because we should be dissatisfied with any natural increase of territory and power on the part of France or England. France has, within twenty years, acquired a vast domain on the northern coast of Africa, with a fair prospect of indefinite extension. England, within half a century, has added very extensively to her empire. These acquisitions have created no uneasiness on the part of the United States.

In like manner, the United States have, within the

same period, greatly increased their territory. The largest addition was that of Louisiana, which was purchased from France. These accessions of territory have probably caused no uneasiness to the great European powers, as they have been brought about by the operation of natural causes, and without any disturbance of the international relations of the principal States. They have been followed, also, by a great increase of mutually beneficial commercial intercourse between the United States and Europe.

But the case would be different in reference to the transfer of Cuba from Spain to any other European power. That event could not take place without a serious derangement of the international system now existing, and it would indicate designs in reference to this hemisphere which could not but awaken alarm in the United States.

We should view it in somewhat the same light in which France and England would view the acquisition of some important island in the Mediterranean by the United States, with this difference, it is true: that the attempt of the United States to establish themselves in Europe would be a novelty, while the appearance of a European power in this part of the world is a familiar fact. But this difference in the two cases is merely historical, and would not diminish the anxiety which, on political grounds, would be caused by any great demonstration of European power in a new direction in America.

M. de Turgot states that France could never see with indifference the possession of Cuba by *any* power but Spain, and explicitly declares that she has no wish or



intention of appropriating the island to herself; and the English minister makes the same avowal on behalf of his Government. M. de Turgot and Lord Malmesbury do the Government of the United States no more than justice in remarking that they have often pronounced themselves substantially in the same sense. The President does not covet the acquisition of Cuba for the United States; at the same time, he considers the condition of Cuba as mainly an American question. The proposed convention proceeds on a different principle. It assumes that the United States have no other or greater interest in the question than France or England; whereas, it is necessary only to cast one's eye on the map to see how remote are the relations of Europe, and how intimate those of the United States with this island.

The President, doing full justice to the friendly spirit in which his concurrence is invited by France and England, and not insensible to the advantages of a good understanding between the three powers in reference to Cuba, feels himself nevertheless, unable to become a party to the proposed compact for the following reasons:—

It is, in the first place, in his judgment, clear (as far as the respect due from the Executive to a coördinate branch of the Government will permit him to anticipate its decision) that no such convention would be viewed with favor by the Senate. Its certain rejection by that body would leave the question of Cuba in a more unsettled position than it is now. This objection would not require the President to withhold his concurrence from the convention if no other objection existed, and if a

strong sense of the utility of the measure rendered it his duty, as far as the Executive action is concerned, to give his consent to the arrangement. Such, however, is not the case.

The convention would be of no value unless it were lasting: accordingly, its terms express a perpetuity of purpose and obligation. Now, it may well be doubted whether the Constitution of the United States would allow the treaty-making power to impose a permanent disability on the American Government, for all coming time, and prevent it, under any future change of circumstances, from doing what has been so often done in times past. In 1803, the United States purchased Louisiana of France; and, in 1819, they purchased Florida of Spain. It is not within the competence of the treaty-making power in 1852 effectually to bind the Government, in all its branches, and for all coming time, not to make a similar purchase of Cuba. A like remark, I imagine, may be made even in reference both to France and England, where the treaty-making power is less subject, than it is with us, to the control of other branches of the Government.

There is another strong objection to the proposed agreement. Among the oldest traditions of the Federal Government is an aversion to political alliances with European powers. In his memorable farewell address, President Washington says: "The great rule of conduct for us, in regard to foreign relations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop." President Jefferson, in his

inaugural address, in 1801, warned the country against "entangling alliances." This expression, now become proverbial, was unquestionably used by Mr. Jefferson in reference to the alliance with France of 1778, — an alliance, at that time of incalculable benefit to the United States ; but which, in less than twenty years, came near involving us in the wars of the French Revolution, and laid the foundation of heavy claims upon Congress, not extinguished to the present day. It is a significant coincidence, that the particular provision of the alliance which occasioned these evils was that under which France called upon us to aid her in defending her West Indian possessions against England. Nothing less than the unbounded influence of Washington rescued the Union from the perils of that crisis, and preserved our neutrality.

But the President has a graver objection to entering into the proposed convention. He has no wish to disguise the feeling that the compact, although equal in its terms, would be very unequal in substance. France and England, by entering into it, would disable themselves from obtaining possession of an island remote from their seats of government, belonging to another European power, whose natural right to possess it must always be as good as their own, — a distant island, in another hemisphere, and one which, by no ordinary or peaceful course of things, could ever belong to either of them. If the present balance of power in Europe should be broken up, if Spain should become unable to maintain the island in her possession, and France and England should be engaged in a death struggle with each other, Cuba might then be the prize of the victor. Till these

events all take place, the President does not see how Cuba can belong to any European power but Spain.

The United States, on the other hand, would, by the proposed convention, disable themselves from making an acquisition which might take place without any disturbance of existing foreign relations, and in the natural order of things. The island of Cuba lies at our doors. It commands the approach to the Gulf of Mexico, which washes the shores of five of our States. It bars the entrance of that great river which drains half the North American continent, and, with its tributaries, forms the largest system of internal water communication in the world. It keeps watch at the door-way of our intercourse with California by the Isthmus route. If an island like Cuba, belonging to the Spanish Crown, guarded the entrance of the Thames and the Seine, and the United States should propose a convention like this to France and England, those powers would assuredly feel that the disability assumed by ourselves was far less serious than that which we asked them to assume.

The opinions of American statesmen, at different times, and under varying circumstances, have differed as to the desirableness of the acquisition of Cuba by the United States. Territorially and commercially, it would, in our hands, be an extremely valuable possession. Under certain contingencies, it might be almost essential to our safety. Still, for domestic reasons, on which, in a communication of this kind, it might not be proper to dwell, the President thinks that the incorporation of the island into the Union at the present time, although effected with the consent of Spain, would be a hazardous measure; and he would consider its acqui-

tion by force, except in a just war with Spain, (should an event so greatly to be deprecated take place,) as a disgrace to the civilization of the age.

The President has given ample proof of the sincerity with which he holds these views. He has thrown the whole force of his constitutional power against all illegal attacks upon the island. It would have been perfectly easy for him, without any seeming neglect of duty, to allow projects of a formidable character to gather strength by connivance. No amount of obloquy at home, no embarrassments caused by the indiscretions of the colonial Government of Cuba, have moved him from the path of duty in this respect. The Captain-General of that island, an officer apparently of upright and conciliatory character, but probably more used to military command than the management of civil affairs, has, on a punctilio in reference to the purser of a private steamship, (who seems to have been entirely innocent of the matters laid to his charge,) refused to allow passengers and the mails of the United States to be landed from a vessel having him on board. This certainly is a very extraordinary mode of animadverting upon a supposed abuse of the liberty of the press by the subject of a foreign government in his native country. The Captain-General is not permitted by his Government, three thousand miles off, to hold any diplomatic intercourse with the United States. He is subject in no degree to the direction of the Spanish minister at Washington; and the President has to choose between a resort to force, to compel the abandonment of this gratuitous interruption of commercial intercourse, (which would result in war,) and a delay of weeks and months, necessary for a negotiation with

Madrid, with all the chances of the most deplorable occurrences in the interval—and all for a trifle, that ought to have admitted a settlement by an exchange of notes between Washington and the Havana. The President has, however, patiently submitted to these evils, and has continued faithfully to give to Cuba the advantages of those principles of the public law under the shelter of which she has departed, in this case, from the comity of nations. But the incidents to which I allude, and which are still in train, are among many others which point decisively to the expediency of some change in the relations of Cuba; and the President thinks that the influence of France and England with Spain would be well employed in inducing her so to modify the administration of the government of Cuba, as to afford the means of some prompt remedy for evils of the kind alluded to, which have done much to increase the spirit of unlawful enterprise against the island.

That a convention such as is proposed would be a transitory arrangement, sure to be swept away by the irresistible tide of affairs in a new country, is, to the apprehension of the President, too obvious to require a labored argument. The project rests on principles applicable, if at all, to Europe, where international relations are, in their basis, of great antiquity, slowly modified, for the most part, in the progress of time and events; and not applicable to America, which, but lately a waste, is filling up with intense rapidity, and adjusting on natural principles those territorial relations which, on the first discovery of the continent, were in a good degree fortuitous.

The comparative history of Europe and America, even for a single century, shows this. In 1752, France, Eng-

land, and Spain were not materially different in their political position in Europe from what they now are. They were ancient, mature, consolidated States, established in their relations with each other and the rest of the world—the leading powers of Western and Southern Europe. Totally different was the state of things in America. The United States had no existence as a people; a line of English colonies, not numbering much over a million of inhabitants, stretched along the coast. France extended from the Bay of St. Lawrence to the Gulf of Mexico, and from the Alleghanies to the Mississippi; beyond which, westward, the continent was a wilderness, occupied by wandering savages, and subject to a conflicting and nominal claim on the part of France and Spain. Every thing in Europe was comparatively fixed; every thing in America provisional, incipient, and temporary, except the law of progress, which is as organic and vital in the youth of States as of individual men. A struggle between the provincial authorities of France and England for the possession of a petty stockade at the confluence of the Monongahela and Alleghany, kindled the seven years' war; at the close of which, the great European powers, not materially affected in their relations at home, had undergone astonishing changes on this continent. France had disappeared from the map of America, whose inmost recesses had been penetrated by her zealous missionaries and her resolute and gallant adventurers; England had added the Canadas to her trans-Atlantic dominions; Spain had become the mistress of Louisiana, so that, in the language of the archbishop of Mexico, in 1770, she claimed Siberia as the northern boundary of New Spain.

Twelve years only from the treaty of Paris elapsed, and another great change took place, fruitful of still greater changes to come. The American revolution broke out. It involved France, England, and Spain in a tremendous struggle; and at its close the United States of America had taken their place in the family of nations. In Europe, the ancient States were restored substantially to their former equilibrium; but a new element, of incalculable importance in reference to territorial arrangements, is henceforth to be recognized in America.

Just twenty years from the close of the war of the American Revolution, France, by a treaty with Spain — of which the provisions have never been disclosed — possessed herself of Louisiana, but did so only to cede it to the United States; and in the same year, Lewis and Clark started on their expedition to plant the flag of the United States on the shores of the Pacific. In 1819, Florida was sold by Spain to the United States, whose territorial possessions in this way had been increased threefold in half a century. This last acquisition was so much a matter of course that it had been distinctly foreseen by the Count Aranda, then Prime Minister of Spain, as long ago as 1783.

But even these momentous events were but the forerunners of new territorial revolutions still more stupendous. A dynastic struggle between the Emperor Napoleon and Spain, commencing in 1808, convulsed the Peninsula. The vast possessions of the Spanish Crown on this continent — vice-royalties and captain-generalships, filling the space between California and Cape Horn — one after another, asserted their independence.



No friendly power in Europe, at that time, was able, or if able, was willing, to succor Spain, or aid her to prop the crumbling buttresses of her colonial empire. So far from it, when France, in 1823, threw an army of one hundred thousand men into Spain to control her domestic politics, England thought it necessary to counteract the movement by recognizing the independence of the Spanish provinces in America. In the remarkable language of the distinguished minister of the day, in order to redress the balance of power in Europe, he called into existence a New World in the west—somewhat overrating, perhaps, the extent of the derangement in the Old World, and not doing full justice to the position of the United States in America, or their influence on the fortunes of their sister republics on this continent.

Thus, in sixty years from the close of the seven years' war, Spain, like France, had lost the last remains of her once imperial possessions on this continent. The United States, meantime, were, by the arts of peace and the healthful progress of things, rapidly enlarging their dimensions and consolidating their power.

The great march of events still went on. Some of the new republics, from the effect of a mixture of races, or the want of training in liberal institutions, showed themselves incapable of self-government. The province of Texas revolted from Mexico by the same right by which Mexico revolted from Spain. At the memorable battle of San Jacinto, in 1836, she passed the great ordeal of nascent States, and her independence was recognized by this Government, by France, by England, and other European powers. Mainly peopled from the United States, she sought naturally to be incorporated

into the Union. The offer was repeatedly rejected by Presidents Jackson and Van Buren, to avoid a collision with Mexico. At last the annexation took place. As a domestic question, it is no fit subject for comment in a communication to a foreign minister; as a question of public law, there never was an extension of territory more naturally or justifiably made.

It produced a disturbed relation with the Government of Mexico; war ensued, and in its results other extensive territories were, for a large pecuniary compensation on the part of the United States, added to the Union. Without adverting to the divisions of opinion which arose in reference to this war, as must always happen in free countries in reference to great measures, no person, surveying these events with the eye of a comprehensive statesmanship, can fail to trace in the main result the undoubted operation of the law of our political existence. The consequences are before the world. Vast provinces, which had languished for three centuries under the leaden sway of a stationary system, are coming under the influences of an active civilization. Freedom of speech and the press, the trial by jury, religious equality, and representative government, have been carried, by the Constitution of the United States, into extensive regions in which they were unknown before. By the settlement of California, the great circuit of intelligence round the globe is completed. The discovery of the gold of that region — leading, as it did, to the same discovery in Australia — has touched the nerves of industry throughout the world. Every addition to the territory of the American Union has given homes to European destitution and gardens to European want. From every part

of the United Kingdom, from France, from Switzerland and Germany, and from the extremest north of Europe, a march of immigration has been taken up, such as the world has never seen before. Into the United States — grown to their present extent in the manner described — but little less than half a million of the population of the Old World is annually pouring, to be immediately incorporated into an industrious and prosperous community, in the bosom of which they find political and religious liberty, social position, employment, and bread. It is a fact which would defy belief, were it not the result of official inquiry, that the immigrants to the United States from Ireland alone, besides having subsisted themselves, have sent back to their kindred, for the three last years, nearly five millions of dollars annually ; thus doubling in three years the purchase-money of Louisiana.

Such is the territorial development of the United States in the past century. Is it possible that Europe can contemplate it with an unfriendly or jealous eye ? What would have been her condition, in these trying years, but for the outlet we have furnished for her starving millions ?

Spain, meantime, has retained of her extensive dominions in this hemisphere but the two islands of Cuba and Porto Rico. A respectful sympathy with the fortunes of an ancient ally and a gallant people, with whom the United States have ever maintained the most friendly relations, would, if no other reason existed, make it our duty to leave her in the undisturbed possession of this little remnant of her mighty trans-Atlantic empire. The President desires to do so ; no word or deed of his will ever question her title or shake her possession. But can it be expected to last very long ? Can it resist this

mighty current in the fortunes of the world? Is it desirable that it should do so? Can it be for the interest of Spain to cling to a possession that can only be maintained by a garrison of twenty-five or thirty thousand troops, a powerful naval force, and an annual expenditure, for both arms of the service, of at least twelve millions of dollars? Cuba, at this moment, costs more to Spain than the entire naval and military establishment of the United States costs the Federal Government. So far from being really injured by the loss of this island, there is no doubt that, were it peacefully transferred to the United States, a prosperous commerce between Cuba and Spain, resulting from ancient associations and common language and tastes, would be far more productive than the best contrived system of colonial taxation. Such, notoriously, has been the result to Great Britain of the establishment of the independence of the United States. The decline of Spain from the position which she held in the time of Charles the Fifth is coeval with the foundation of her colonial system; while within twenty-five years, and since the loss of most of her colonies, she has entered upon a course of rapid improvement unknown since the abdication of that emperor.

I will but allude to an evil of the first magnitude: I mean the African slave-trade, in the suppression of which France and England take a lively interest—an evil which still forms a great reproach upon the civilization of Christendom, and perpetuates the barbarism of Africa, but for which it is to be feared there is no hope of a complete remedy while Cuba remains a Spanish colony.

But, whatever may be thought of these last suggestions, it would seem impossible for any one who reflects

upon the events glanced at in this note to mistake the law of American growth and progress, or think it can be ultimately arrested by a convention like that proposed. In the judgment of the President, it would be as easy to throw a dam from Cape Florida to Cuba, in the hope of stopping the flow of the gulf stream, as to attempt, by a compact like this, to fix the fortunes of Cuba "now and for hereafter;" or, as expressed in the French text of the convention, "for the present as for the future," (*pour le présent comme pour l'avenir*), that is, for all coming time. The history of the past — of the recent past — affords no assurance that twenty years hence France or England will even wish that Spain should retain Cuba; and a century hence, judging of what will be from what has been, the pages which record this proposition will, like the record of the family compact between France and Spain, have no interest but for the antiquary.

Even now the President cannot doubt that both France and England would prefer any change in the condition of Cuba to that which is most to be apprehended, namely, an internal convulsion which should renew the horrors and the fate of San Domingo.

I will intimate a final objection to the proposed convention. M. de Turgot and Lord Malmesbury put forward, as the reason for entering into such a compact, "the attacks which have lately been made on the island of Cuba by lawless bands of adventurers from the United States, with the avowed design of taking possession of that island." The President is convinced that the conclusion of such a treaty, instead of putting a stop to these lawless proceedings, would give a new and a powerful impulse to them. It would strike a death-blow to

the conservative policy hitherto pursued in this country toward Cuba. No administration of this Government, however strong in the public confidence in other respects, could stand a day under the odium of having stipulated with the great powers of Europe, that in no future time, under no change of circumstances, by no amicable arrangement with Spain, by no act of lawful war, (should that calamity unfortunately occur,) by no consent of the inhabitants of the island, should they, like the possessions of Spain on the American continent, succeed in rendering themselves independent; in fine, by no overruling necessity of self-preservation should the United States ever make the acquisition of Cuba.

For these reasons, which the President has thought it advisable, considering the importance of the subject, to direct me to unfold, at some length, he feels constrained to decline respectfully the invitation of France and England to become a party to the proposed convention. He is persuaded that these friendly powers will not attribute this refusal to any insensibility on his part to the advantages of the utmost harmony between the great maritime States on a subject of such importance. As little will Spain draw any unfavorable inference from this refusal; the rather, as the emphatic disclaimer of any designs against Cuba on the part of this Government, contained in the present note, affords all the assurance which the President can constitutionally, or to any useful purpose, give of a practical concurrence with France and England in the wish not to disturb the possession of that island by Spain.

I avail myself, Sir, of this opportunity to assure you of my distinguished consideration.

EDWARD EVERETT.

## APPENDIX.

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ANSWER OF LORD JOHN RUSSELL TO MR. EVERETT'S LETTER  
ON THE PROPOSED TRIPARTITE TREATY.

*Lord John Russell to Mr. Crampton.*

FOREIGN OFFICE, *February* 16, 1853.

SIR: Lord Malmesbury received, just before leaving office, the note addressed to you by Mr. Everett, and left it for the consideration of his successor.

The absence from London of the Ambassador of France has hitherto prevented that communication between the two Governments which the circumstances of the proposal made jointly required.

I have now to inform you of the view which her Majesty's Government take of Mr. Everett's reply to our overture.

It is, doubtless, perfectly within the competence of the American Government to reject the proposal that was made by Lord Malmesbury and M. Turgot, in reference to Cuba. Each Government will then remain as free as it was before to take that course which its sense of duty and a regard for the interests of its people may prescribe.

I should have satisfied my obligations as Secretary of State by this obvious remark, had not Mr. Everett entered at large into arguments which the simple nature of the question before him hardly seemed to require.

The Governments of Great Britain and France when they

made this proposal to that of the United States, were fully aware of the growth of power and extension of territory which have marked the progress of the United States since the period of their independence. The absorption or annexation of Louisiana in 1803, of Florida in 1819, of Texas in 1845, and of California in 1848, had not escaped them; still less did they require to be reminded of the events of the seven years' war, or of the American war.

It occurs to her Majesty's Government, therefore, to ask for what purpose are these arguments introduced with so much preparation, and urged with so much ability?

It would appear that the purpose, not fully avowed, but hardly concealed, is to procure the admission of a doctrine that the United States have an interest in Cuba, to which Great Britain and France cannot pretend. In order to meet this pretension, it is necessary to set forth the character of the two powers who made the offer in question, and the nature of that offer. Mr. Everett declares, in the outset of his despatch, that "the United States would not see with indifference the island of Cuba fall into the possession of any other European Government than Spain," &c.

The two powers most likely to possess themselves of Cuba, and most formidable to the United States, are Great Britain and France.

Great Britain is in possession, by treaty, of the island of Trinidad, which, in the last century, was a colony of Spain; France was in possession, at the commencement of the century, of Louisiana, by voluntary cession from Spain. These two powers, by their naval resources, are, in fact, the only powers who could be rivals with the United States for the possession of Cuba. Well, these two powers are ready, voluntarily, to "declare, severally and collectively, that they will not obtain, or maintain for themselves, or for any one of themselves, any exclusive control over the said island (of Cuba,) nor assume nor exercise any dominion over the same."



Thus, if the object of the United States were to bar the acquisition of Cuba by any European State, this convention would secure that object.

But if it is intended, on the part of the United States, to maintain that Great Britain and France have no interest in the maintenance of the present *status quo* in Cuba, and that the United States have alone a right to a voice in that matter, her Majesty's Government at once refuse to admit such a claim. Her Majesty's possessions in the West Indies alone, without insisting on the importance to Mexico and other friendly States of the present distribution of power, give her Majesty an interest in this question which she cannot forego.

The possessions of France in the American seas give a similar interest to France, which, no doubt, will be put forward by her Government. Nor is this right at all invalidated by the argument of Mr. Everett, that Cuba is to the United States as an island at the mouth of the Thames or the Seine would be to England or France.

The distance of Cuba from the nearest part of the territory of the United States, namely, from the southernmost part of Florida, is one hundred and ten miles.

An island at an equal distance from the mouth of the Thames would be placed about ten miles north of Antwerp, in Belgium; while an island at the same distance from Jamaica would be placed at Manzanilla, a town in Cuba.

Thus there are no grounds for saying that the possession of Cuba by Great Britain or France would be menacing to the United States; but that its possession by the United States would not be so to Great Britain.

There is one argument of the United States Secretary of State which appears to her Majesty's Government not only unfounded, but disquieting.

Lord Malmesbury and M. de Turgot put forward, as a reason for entering into the proposed compact, "the attacks which have already been made on the island of Cuba by law-

less bands of adventurers from the United States, and with the avowed design of taking possession of that island." To this reason Mr. Everett replies in these terms: "The President is convinced that the conclusion of such a treaty, instead of putting a stop to these lawless proceedings, would give a new and powerful impulse to them."

The Government of Great Britain acknowledges with respect the conduct of the President in disavowing and discouraging the lawless attempts here referred to. The character of those attempts, indeed, was such as to excite the reprobation of every civilized State. The spectacle of bands of men collected together in reckless disregard of treaties, for the purpose of making, from the ports of the United States, a piratical attack on the territory of a power in amity with their own State; and when there, endeavoring by armed invasion to excite the obedient to revolt, and the tranquil to disturbance, was a sight shocking, no doubt, to the just and honest principles of the President. But the statement made by the President, that a convention duly signed and legally ratified, engaging to respect the present state of possession in all future time would but excite these bands of pirates to more violent breaches of all the laws of honesty and good neighborhood, is a melancholy avowal for the chief of a great State. Without disputing its truth, her Majesty's Government may express a hope that this state of things will not endure, and that the citizens of the United States, while they justly boast of their institutions, will not be insensible to the value of those eternal laws of right and wrong, of peace and friendship, and of duty to our neighbors, which ought to guide every Christian nation.

Nor can a people so enlightened fail to perceive the utility of those rules for the observance of international relations, which for centuries have been known to Europe by the name of the law of nations. Among the commentators on that law, some of the most distinguished American citizens have earned an enviable reputation; and it is difficult to suppose that the

United States would set the example of abrogating its most sacred provisions.

Nor let it be said that such a convention would have prevented the inhabitants of Cuba from asserting their independence. With regard to internal troubles, the proposed convention was altogether silent. But a pretended declaration of independence, with a view of immediately seeking refuge, from revolts on the part of the blacks, under the shelter of the United States, would justly be looked upon as the same, in effect, as a formal annexation.

Finally, while fully admitting the right of the United States to reject the proposal that was made by Lord Malmesbury and M. de Turgot, Great Britain must at once resume her entire liberty; and upon any occasion that may call for it, be free to act either singly or in conjunction with other powers, as to her may seem fit.

I am, &c.,

J. RUSSELL.

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*John F. Crampton, Esq., to the Earl of Clarendon.*

[EXTRACT.]

WASHINGTON, *April* 18, 1853.

In obedience to the instruction contained in Lord John Russell's despatch, of the 21st February, I have read to the Secretary of State of the United States, and placed in his hands, a copy of his lordship's despatch, of the 16th of that month, upon the subject of Cuba.

My French colleague having also received instructions from his Government to communicate to the Government of the United States a despatch upon the same subject, and very much to the same effect, it was agreed between us that we should, as upon former occasions, in regard to this matter, make our communications simultaneously; and we accordingly waited upon Mr. Marcy together, for that purpose, on the 16th inst.

Mr. Marcy, after having listened attentively to what M.

de Sartiges and myself read to him, said that he would submit the observations of the two Governments to the President; and remarked that several weeks might probably elapse before any reply would be addressed to us; even should the President be of opinion, which Mr. Marcy seemed to think doubtful, that any further discussion of the matter between the two Governments was desirable.

It would, he added, of course be necessary for him again to read over the despatches, in order to comprehend their full import, but as far as he could now judge, the opinion of the two Governments seemed to coincide in reference to two points, namely, the one that the right of the United States to decline the proposals made to them by the English and French Governments was admitted; the other, that some of the general positions taken by Mr. Everett in his note of the 1st December, 1852, appeared to those Governments to render a protest against them on their part necessary, lest it might hereafter be inferred that those positions had been acquiesced in by them.

We replied that, without pretending to point out to Mr. Marcy what further step he was or was not to take in this matter, the object which our respective Governments had in view seemed to us to be, generally, such as he had stated it; and that we, for our part, considered the discussion of the subject closed by the communication which we had just made.

Mr. Marcy appeared to receive our observations in a conciliatory manner, and concluded by expressing his hope and belief that no misunderstanding would arise between the great maritime powers in regard to this matter.

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*To the Right Honorable Lord John Russell.*

Boston, 17th September, 1853.

MY LORD: Your despatch of the 16th February last to Mr. Crampton has lately appeared in our public papers. As

it is in reality, if not in form, a reply to my letter of the 1st December, 1852, on the subject of Cuba, I regret that it was not prepared and sent before my retirement from the Department of State. But though I must now do it as a private individual, I feel as if it were to some extent my duty to answer it. I shall endeavor to do so, in a manner consistent with my sincere respect for your public character, and a lively recollection of your personal kindness during my residence in England.

Before remarking on the contents of your letter, I will observe that, though it contains some courteous expressions, its tone is, upon the whole, not quite as conciliatory as might have been expected, considering that my letter of the 1st December was altogether respectful and friendly toward the two powers, both in form and in substance. I have heard that in presenting this correspondence to Parliament you indulged "in some sarcastic remarks," but I have not seen any report of them. Your despatch is not free from a shade of sarcasm in one or two sentences. This I shall endeavor to avoid in reply, not that it would be difficult to follow you into that field, but because I cannot think that an encounter of wits between us would be an edifying spectacle, or one which would promote any desirable national object.

You say, that in my letter of the 1st December I entered into "arguments not required by the simple nature of the question before me;" and the length of my letter has been complained of in other quarters. The question propounded to us was certainly in one sense simple, as every question is that can be answered "Yes" or "No." But how various, complicated, and important the interests and relations involved in it! Besides, the organ of every Government must be the only judge of the proper length and relevancy of his replies to the communications of foreign powers. The proposal to which I was returning an answer, jointly made by two of the leading powers of Europe, related to the most

important subject in the circle of our foreign relations. I thought that a few paragraphs were well employed, in unfolding the views of the President on this subject, and the reasons why he declined entering into a compact purporting to bind the three Governments for all coming time to a certain line of policy, in a case of so much importance.

You will recollect that the members of our executive government do not sit in Congress. Those expositions which are made in your parliament by Ministers, — in speeches not unfrequently of two and three, — sometimes four and five hours in length, — must be made in this country in a Presidential message, (rarely alluded to by your press without a sneer at its length,) or an Executive report or despatch. My letter of the 1st December would make a speech of about an hour, which does not seem to me immoderate for such a subject. However, a little greater fulness of statement and argument, in papers expected to come before the public, is, it must be confessed, in harmony with the character of our Government, and is generally indulged in.

You observe that “the absorption or annexation of Louisiana in 1803, of Florida in 1819, of Texas in 1845, and of California in 1848, had not escaped the two powers; still less did they require to be reminded of the events of the seven years’ war, or of the American war.” But facts may be mentioned for illustration or argument, as well as information. Most certainly the important and notorious events named by you, — leading incidents of the history of the United States, and of the world, — cannot be supposed to have escaped the Governments of England and France, who were parties to some of the most important of the transactions in question. I had no thought of “reminding” your Governments of the events of the seven years’ war and of the American Revolution, as matters of historical fact, of which they were ignorant; though I really doubt, and beg to say it without offence, whether there are many individuals in the Government of either country, possessed of an accurate and precise knowledge of the facts

hastily sketched by me. That sketch, however, of the territorial changes, which have taken place on this continent during the last century, was intended as an illustration of the proposition, that our entire history shows it to be chimerical to attempt, in reference to specific measures, to bind up, for all future time, the discretion of a Government, established in a part of the world, of which so much is still lying in a state of nature.

I had another motive. The public opinion of Christendom, created in a good degree by the Press, has become an element of great and increasing influence in the conduct of international affairs. Now, it is very much the habit of a considerable portion of the European Press, to speak of the steady and rapid extension of the territory of the United States, as the indication of a grasping spirit on the part of their Government and people. The subject is rarely alluded to, by one school of transatlantic public writers, for any other purpose. Thus the public mind of the civilized world is poisoned against us. There is not only manifested, on the part of these writers, an entire insensibility to the beauty and grandeur of the work that is going on, — more beneficent if possible to Europe than to us, in the relief it is affording her, — but we are actually held up at times as a nation of land-pirates. It was partly my object to counteract this disposition; to show that our growth had been a natural growth; that our most important accessions of territory had taken place by great national transactions, to which England, France, and Spain had been parties, and in other cases by the operation of causes which necessarily influence the occupation and settlement of a new country, in strict conformity with the law of nations and not in violation of it.

You say that “it occurs to her Majesty’s Government to ask for what purpose are these arguments introduced with so much preparation and urged with so much ability,” and you answer the question in the following manner: “It would appear that the purpose, *not fully avowed but hardly concealed*,

is to procure the admission of a doctrine, that the United States have an interest in Cuba, to which Great Britain and France cannot pretend."

Here a little unintentional injustice is done to my letter, in which it is distinctly stated, more than once, for reasons set forth at length and very partially controverted by you, that the Government of the United States considered the condition of Cuba, "as mainly an American question," in which they had a very deep interest and you a very limited one. Not only was no attempt whatever made to conceal this doctrine, but it was fully avowed and reasoned out in my letter of the 1st December, 1852.

To meet one of the chief grounds on which the United States rest this claim, that of geographical proximity, after some local allusions of which I do not perceive the exact bearing, you observe, in effect, that Cuba is somewhat nearer to Jamaica than it is to the nearest part of the United States, and you consider this as showing that we cannot have a greater interest in the island than you have. Now, if Jamaica bore the same relation to Great Britain, which our States on and near the Gulf of Mexico bear to the rest of the American Union, your reply to my argument would be good. But the direct reverse is the case. Jamaica is a distant colony, whose entire population, (of which not more than one tenth is of European origin,) does not exceed that of an English city of the second class. It is, as I perceive from your speech of the 4th August, a burden on the imperial treasury. It must in its present state stand high on the list of the colonies, which (as appears from Lord Grey's recent work on the colonial policy of your administration) are regarded by more than one active and influential party in England, as encumbrances of which she ought to get rid, if she could do so with credit. How different, in all respects, the case with the States, lying on the Gulf of Mexico! In extent of sea-coast, in the amount of valuable products furnished to the world's commerce, in the command of rivers which penetrate the



heart of the continent, they are a most important, as they are an integral portion of the Union. They are numerically all but a sixth part of it. The very illustration, made use of by you, strikingly confirms instead of confuting the doctrine that "the condition of Cuba is mainly an American question."

This proposition could be enforced by other strong arguments besides those adduced in my letter of 1st December; but as those arguments, with the exception just commented upon, have not been met by you, I deem it unnecessary to enlarge upon the topic.

But though the United States certainly consider that they have "an interest in the condition of Cuba, to which Great Britain and France cannot pretend," it is not, either in my letter, nor in any other American State paper within my recollection, assumed that Great Britain and France have "*no* interest in the maintenance of the present *statu quo*, and that the United States *alone* have a right to a voice in the matter." Our doctrine is, not that we have an absolutely exclusive interest in the subject, but that we have a far deeper and more immediate interest than France or England can possibly lay claim to. A glance at the map, one would think, would satisfy every impartial mind of this truth.

In order to establish for France and England an equal interest with the United States in the condition of Cuba, you say: "Great Britain is in possession, by treaty, of the island of Trinidad, which in the last century was a colony of Spain. France was in possession at the commencement of this century of Louisiana by voluntary cession of Spain." It is true that Spain was compelled by France to cede Trinidad to Great Britain by the treaty of Amiens. If, while this cession was in agitation,—as it was for some time,—the United States and any other neutral power, (if there was any other,) had exerted themselves to defeat it, and had invited you and France to bind yourselves by a perpetual compact never to acquire it, the interference, I apprehend, would have been

regarded as worse than gratuitous. I cannot see why we have not as good a right to obtain, if we can, from Spain, the voluntary cession of Cuba, as you had to accept the compulsory cession of Trinidad, which is, by position and strength, the Cuba of the southeastern Antilles.

France was, as you say, at the beginning of this century, in possession of Louisiana, by the voluntary cession of Spain. This possession however (nominal at best) did not take place till seven months after France had sold Louisiana to the United States for eighty millions of francs, and it lasted only from the 30th November to the 20th December, 1803. The object of France in acquiring Louisiana, was to re-establish herself in the interior of this country; an object, I need not say, as menacing to your North American possessions as to the United States. Is it possible you can think such a possession of Louisiana for such a purpose a sufficient ground on the part of France for interfering with our relations with Cuba? May she, a European power, without consulting us, obtain from Spain in 1800, a cession of half the habitable portion of North America, — a cession which threw her for fifteen hundred miles on our western frontier, and not only shut us out from the Pacific, but enabled her to close the Mississippi; and is it so very unreasonable in us to decline her invitation to bind ourselves for all time not to accept the cession of an island which lies within thirty-five leagues of our coast? Does she even derive her right thus to control our relations with Cuba in 1853 from her twenty days' possession of Louisiana in 1803? What can be clearer than that, whatever right accrued to her from that three weeks' possession, (which was a mere ceremonial affair, to give form to the transfer of the province to the United States,) must have passed to us by that transfer, followed by our actual possession and occupation for half a century?

You observe that "Lord Malmesbury and M. Turgot put forward, as a reason for entering into the proposed compact, the attacks which had been made on the island of Cuba by

lawless bands of adventurers from the United States, and with the avowed design of taking possession of that island," and to this reason you add, "Mr. Everett replies in these terms: 'The President is convinced that the conclusion of such a treaty, instead of putting a stop to these lawless proceedings, would give a new and powerful impulse to them,'" and this argument you call "not only unfounded but disquieting."

After acknowledging, rather coldly I think, the conduct of the late President in disavowing and discouraging the lawless enterprises referred to, you reproachfully pronounce my remark just cited "a melancholy avowal for the chief of a free State;" and you seem to intimate, without expressly saying so, that it implies, on the part of the people of the United States, an insensibility "to the value of the eternal laws of right and wrong, of peace and friendship, and of duty to our neighbor, which ought to guide every Christian nation." You also take occasion, in reference to the same remark, to impress upon the people of the United States "the utility of those rules for the observance of international relations, which for centuries have been known to Europe by the name of the law of nations. Among the commentators on that law (you continue) some of the most distinguished American citizens have earned an enviable reputation, and it is difficult to suppose the United States would set the example of abrogating its most sacred provisions."

I suppose no one in Europe or America will think the intended force of this rebuke mitigated, by the diplomatic reservation contained in the last two lines. Let us then inquire for a moment if it is well deserved.

The expeditions to which you allude as calculated to excite the "reprobation of every civilized state," were discountenanced by the President in every constitutional and legal way. The utmost vigilance was at all times employed, but, unhappily for the adventurers themselves, without effect. In this there is matter neither for wonder nor reproach. The

territory of the United States is but little less than the whole of Europe; while their population is not quite equal to that of the United Kingdom, and their standing military force small, and scattered over an immensely extensive frontier. Our Government, like that of England, is one of law; and there is a great similarity between the laws of the two countries which prohibit military expeditions against the possessions of friendly powers. In fact your Foreign Enlistment Act of 1819 was admitted by Mr. Canning to have been founded in part on our neutrality law of the preceding year. Of the two, I believe our laws are the more stringent; but it is somewhat difficult to enforce them in both countries.

These expeditions, got up in the United States by a Spanish General, and supposed to indicate a lawless disposition on the part of the American people, comprised a very small number of persons, some of whom were foreigners, enjoying the same freedom of action in the United States, that refugees from every part of the continent enjoy in England. The same reproach which is cast upon us, for these expeditions is, at this moment, cast upon England by the Continental powers. Events which have occurred in London, since your despatch was written, strikingly illustrate the difficulty and the risk under constitutional Governments, of preventing abuses of that hospitality, which it is the privilege and boast of such Governments to extend to all who seek it.

There is, no doubt, widely prevalent in this country a feeling that the people of Cuba are justly disaffected to the Government of Spain. A recent impartial French traveller, M. Ampère, confirms this impression. All the ordinary political rights enjoyed in free countries are denied to the people of that island. The Government is, in principle, the worst form of despotism, namely, absolute authority delegated to a military Viceroy, and supported by an army from abroad. I speak of the nature of the Government, and not of the individuals by whom it is administered, for I have formed a

very favorable opinion of the personal character of the present Captain-General, as of one or two of his predecessors. Of the bad faith and the utter disregard of treaties with which this bad government is administered, your committees on the slave-trade have spoken plainly enough at the late session of Parliament. Such being the state of things in Cuba, it does not seem to me very extraordinary or reproachful, that, throughout the United States, a handful of misguided young men should be found, ready to join a party of foreigners, headed by a Spanish General, who was able to persuade them, not as you view it, "by armed invasion to excite the obedient to revolt and the tranquil to disturbance," but, as they were led to believe, to aid an oppressed people in their struggle for freedom. There is no reason to doubt that there are, at this moment, as many persons, foreigners as well as natives, in England, who entertain these feelings and opinions as in the United States; and if Great Britain lay at a distance of one hundred and ten miles from Cuba, instead of thirty-five hundred, you might not, with all your repressive force, find it easy to prevent a small steamer, disguised as a trading vessel, from slipping off from an outport in the night, on an unlawful enterprise. The expedition of General Torrijos, in 1831, as far as illegality is concerned, is the parallel of that of General Lopez. It was fitted out in the Thames, without interruption till the last moment, and though it then fell under the grasp of the police, its members succeeded in escaping to Spain, where, for some time, they found shelter at Gibraltar. It is declared, in the last number of the Quarterly Review, to be "notorious, that associations have been formed in London for the subversion of dynasties with which England is at peace; that arms have been purchased and loans proposed; that 'Central Committees' issue orders from England, and that Messrs. Mazzini and Kossuth have established and preside over boards of regency for the Roman States and Hungary, and for the promotion of revolution in every part of the world." I have before me a list,

purporting to be taken from a Prussian police Gazette, of fifteen associations of Continental refugees organized in London, and now in action, for the above-mentioned purposes.

When these things are considered, the fact that, in the course of four or five years, two inconsiderable and abortive efforts have been made from the United States, though deeply to be lamented and sternly to be condemned, as a violation of municipal and international law, does not appear to me so "shocking" as it seems to be thought by you. It does not, in my judgment, furnish any ground for the reproaches it has drawn upon the Government and people of the United States. Nor does the remark in my letter of the 1st December, that a disposition to engage in such enterprises would be increased rather than diminished by our accession to the proposed Convention, strike me as "a melancholy avowal," as you pronounce it, on the part of the President. You forget the class from which such adventurers are in all countries enlisted, — the young, the reckless, the misinformed. What other effect could be expected to be produced on this part of the population, by being told that their own Government, in disregard of the most obvious public interests, as well as of the most cherished historical traditions, had entered into a compact with two foreign powers, to guaranty the perpetuity of the system under which Cuba now suffers? Does not Lord Howden, the English Minister at Madrid, make a very similar avowal in his letter of the 30th May last, addressed to the Spanish Minister of Foreign Affairs, when he says: "I cannot conclude without expressing my deep regret, that the course of Spain is such, as to produce a general alienation in the opinion of the English public, out of which will most infallibly result a state of feeling *which no Government can control or oppose?*"

The idea that a convention like that proposed was a measure naturally called for, in consequence of these lawless expeditions, seems to rest upon an entire misconception of

the present state of the law in the United States, and of our treaty relations with Spain. Our treaties with that Government and the laws of the United States forbid all such enterprises. The tripartite convention would have added nothing to their unlawfulness. If we had been desirous of multiplying objections, we might well have complained that the acts of a very small number of rash young men, citizens and foreigners, should be put forward by two of the leading powers of Europe, as the main reason why we should be expected to enter into a strange compact with those powers, binding ourselves never to make a lawful and honorable acquisition of Cuba. There is no logical connection between the ideas, and there is something bordering upon the offensive in their association.

Consider, too, the recent antecedents of the powers that invite us to disable ourselves to the end of time from the acquisition in any way of this natural appendage to our Continent. France, within the present century, to say nothing of the acquisition of Louisiana, has wrested a moiety of Europe from its native sovereigns; has possessed herself, by force of arms, and at the time greatly to the discontent of England, of six hundred miles of the northern coast of Africa, with an indefinite extension into the interior; and has appropriated to herself one of the most important insular groups of the Pacific. England, not to mention her other numerous recent acquisitions in every part of the globe, has, even since your despatch of the 16th February was written, annexed half of the Burman empire to her overgrown Indian possessions, on grounds,—if the statements in Mr. Cobden's pamphlet are to be relied upon,—compared with which the reasons assigned by Russia for invading Turkey are respectable.

The United States do not require to be advised of "the utility of those rules for the observance of international relations, which for centuries have been known to Europe, by the name of the law of nations." They are known and

obeyed by us under the same venerable name. Certain circumstances in our history have caused them to be studied more generally and more anxiously here than in Europe. From the breaking out of the wars of the French Revolution to the year 1812, the United States knew the law of nations only as the victims of its systematic violation by the great maritime powers of Europe. For these violations on the part of England, prior to 1794, indemnification was made under the seventh article of Jay's treaty. For similar injuries on the part of France, we were compelled to accept an illusory set-off under the Convention of 1800. A few years only elapsed, before a new warfare upon our neutral rights was commenced by the two powers. One hundred millions at least of American property were swept from the seas, under the British orders in Council, and the French Berlin and Milan decrees. These orders and decrees were at the time reciprocally declared to be in contravention of the law of nations by the two powers themselves, each speaking of the measures of the other party. In 1831, after the generation of the original sufferers had sunk under their ruined fortunes to the grave, France acknowledged her decrees to have been of that character, by a late and partial measure of indemnification. For our enormous losses under the British orders in council, we not only never received indemnification, but the sacrifices and sufferings of war were added to those spoliations on our commerce and invasion of our neutral rights which led to its declaration. Those orders were at the time regarded by the Lansdownes, the Barings, the Broughams, and the other enlightened statesmen of the school to which you belong as a violation of right and justice as well as of sound policy ; and within a very few years the present distinguished Lord Chief Justice, placed by yourself at the head of the tribunals of England, has declared that "the orders in council were grievously unjust to neutrals, and it is now generally allowed, that they were contrary to the law of nations and our own municipal law !"



That I call, my Lord, to borrow your expression, "a melancholy avowal" for the chief of the jurisprudence of a great Empire, though highly creditable for the candor with which it is made. Acts of its sovereign authority, countenanced by its Parliament, rigidly executed by its fleets on every sea, enforced in the courts of admiralty by a magistrate whose learning and eloquence are among the modern glories of England, persisted in till the lawful commerce of a neutral and kindred nation was annihilated, and pronounced by the highest legal authority of the present day, contrary not merely to the law of nations but your own municipal law!

Under these circumstances, the Government and people of the United States, who have never committed or sanctioned a violation of the law of nations against any other power, may well think it out of place, that they should be instructed by an English minister in "the utility of those rules, which for centuries have been known to Europe by the name of the Law of Nations."

There are several other points in your despatch, some of great public moment, which, if I were still in office, I should discuss on this occasion. I have, however, deemed it proper, at present, to confine myself to such remarks, as seemed necessary to vindicate my letter of the 1st December from your strictures, leaving the new aspects of the case which your despatch presents, especially in its opening and closing paragraphs, to those whose official duty it is to consider them.

You will not, I hope, misapprehend the spirit in which this letter is written. As an American citizen, I do not covet the acquisition of Cuba, either peaceably or by force of arms. When I cast my thoughts back upon our brief history as a nation, I certainly am not led to think that the United States have reached the final limits of their growth, or, what comes to very much the same thing, that representative government, religious equality, the trial by jury, the freedom of the press, and the other great attributes of our Anglo-Norman civili-



zation are never to gain a farther extension in this hemisphere. I regard the inquiry under what political organization this extension is to take place, as a vain attempt to penetrate the inscrutable mysteries of the future. It will, if we are wise, be under the guidance of our example; I hope it will be in virtue of the peaceful arts, by which well-governed States extend themselves over unsettled or partially settled continents. My voice was heard at the first opportunity, in the Senate of the United States, in favor of developing the almost boundless resources of the territory already in our possession, rather than seeking to enlarge it by aggressive wars. Still I cannot think it reasonable — hardly respectful — on the part of England and France, while they are daily extending themselves on every shore and in every sea, and pushing their dominions, by new conquests, to the uttermost ends of the earth, to call upon the United States to bind themselves, by a perpetual compact, never, under any circumstances, to admit into the Union an island which lies at their doors, and commands the entrance into the interior of their continent.

I remain, my Lord, with the highest respect,  
faithfully yours,  
EDWARD EVERETT.